

**MEMO ENDORSED**

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February 18, 2022

**BY ECF**

Hon. Valerie E. Caproni, District Judge  
United States District Court for the  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

Re: *United States v. Velez*, 19 Cr. 862 (VEC).

Dear Judge Caproni:

As counsel to Luis Sepulveda, a defendant in the above-referenced matter, I request that sentencing, currently scheduled for March 22, 2022 at 2:00 p.m., be adjourned to a date convenient for the Court at or after the beginning of May 2022, and that the briefing schedule be modified accordingly. I have spoken with A.U.S.A. Adam Hobson, who does not object to this request. There have been two prior adjournments of sentencing at my request.

The Court granted a previous request to adjourn sentencing set for January, which I made for two reasons, both of which still apply. First, I was, at that time, expecting to begin a murder trial in the Eastern District (before Judge Bianco) anticipated to last four or five weeks. However, due to the Omicron variant, that trial was adjourned to March 14<sup>th</sup>. It is as certain as can be to begin then. Thus, I will be on trial in Central Islip on March 22<sup>nd</sup>.

Second, the psychologist I retained with the Court's approval had not yet been able to meet with and test Mr. Sepulveda. He still has not been able to do so, as visiting at MDC was suspended due to the Omicron variant. While visiting has now resumed, there have been quarantines resulting in suspensions of visiting on certain units, and overall delays. We have requested approval for the psychologist to enter MDC to see Mr. Sepulveda on Tuesday, February 22<sup>nd</sup>.

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However, even if he is able to see Mr. Sepulveda then, it takes several weeks for him to get test results back and prepare a report. Thus, even if I were not preparing for trial, I would need additional time to prepare and submit a sentencing memo on behalf of Mr. Sepulveda that incorporates the psychological report.

I again apologize for having to request such a lengthy adjournment. However, Mr. Sepulveda is facing a ten-year mandatory minimum sentence, and his stipulated advisory sentencing guidelines range is 168 to 210 months. I believe the additional time is necessary to provide the Court with all the information needed to impose an appropriate sentence.

Thank you for your attention to this application.

Very truly yours,

/s/  
Jesse M. Siegel

Application GRANTED.

Mr. Sepulveda's sentencing, currently scheduled for Tuesday, March 22, 2022 at 2:00 P.M., is hereby adjourned to **Monday, May 9, 2022 at 2:00 P.M.** Sentencing submissions are due no later than **Friday, April 22, 2022.**

SO ORDERED.



Date: February 18, 2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE